

TRANSLATION

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter II of the Patent Cooperation Treaty)

(PCT Article 36 and Rule 70)

Applicant's or agent's file reference P3S2004380	FOR FURTHER ACTION	See Form PCT/IPEA/416
International application No. PCT/JP2004/017815	International filing date (<i>day/month/year</i>) 30.11.2004	Priority date (<i>day/month/year</i>) 03.12.2003
International Patent Classification (IPC) or national classification and IPC B60J7/02		
Applicant AISIN SEIKI KABUSHIKI KAISHA		

1. This report is the international preliminary examination report, established by this International Preliminary Examining Authority under Article 35 and transmitted to the applicant according to Article 36.
2. This REPORT consists of a total of <u>5</u> sheets, including this cover sheet.
3. This report is also accompanied by ANNEXES, comprising: a. <input checked="" type="checkbox"/> (<i>sent to the applicant and to the International Bureau</i>) a total of <u>4</u> sheets, as follows: <input checked="" type="checkbox"/> sheets of the description, claims and/or drawings which have been amended and are the basis for this report and/or sheets containing rectifications authorized by this Authority (see Rule 70.16 and Section 607 of the Administrative Instructions). <input type="checkbox"/> sheets which supersede earlier sheets, but which this Authority considers contain an amendment that goes beyond the disclosure in the international application as filed, as indicated in item 4 of Box No. I and the Supplemental Box. b. <input type="checkbox"/> (<i>sent to the International Bureau only</i>) a total of (indicate type and number of electronic carrier(s)) _____, containing a sequence listing and/or tables related thereto, in computer readable form only, as indicated in the Supplemental Box Relating to Sequence Listing (see Section 802 of the Administrative Instructions).
4. This report contains indications relating to the following items: <input checked="" type="checkbox"/> Box No. I Basis of the report <input type="checkbox"/> Box No. II Priority <input type="checkbox"/> Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability <input type="checkbox"/> Box No. IV Lack of unity of invention <input checked="" type="checkbox"/> Box No. V Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement <input type="checkbox"/> Box No. VI Certain documents cited <input type="checkbox"/> Box No. VII Certain defects in the international application <input type="checkbox"/> Box No. VIII Certain observations on the international application

Date of submission of the demand	Date of completion of this report
Name and mailing address of the IPEA/JP	Authorized officer
Facsimile No.	Telephone No.

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Box No. I

Basis of the report

1. With regard to the **language**, this report is based on the international application in the language in which it was filed, unless otherwise indicated under this item.
- ☐ This report is based on translations from the original language into the following language _____, which is the language of a translation furnished for the purposes of:
- ☐ international search (Rule 12.3 and 23.1(b))
- ☐ publication of the international application (Rule 12.4)
- ☐ international preliminary examination (Rule 55.2 and/or 55.3)
2. With regard to the **elements** of the international application, this report is based on *(replacement sheets which have been furnished to the receiving Office in response to an invitation under Article 14 are referred to in this report as "originally filed" and are not annexed to this report)*:
- ☐ the international application as originally filed/furnished
- ☒ the description:
- pages 1, 3-19 as originally filed/furnished
- pages* 2, 2/1 received by this Authority on 30.09.2005
- pages* _____ received by this Authority on _____
- ☒ the claims:
- nos. 2-7 as originally filed/furnished
- nos.* _____ as amended (together with any statement) under Article 19
- nos.* 1 received by this Authority on 30.09.2005
- nos.* _____ received by this Authority on _____
- ☒ the drawings:
- sheets 1-11 as originally filed/furnished
- sheets* _____ received by this Authority on _____
- sheets* _____ received by this Authority on _____
- ☐ a sequence listing and/or any related table(s) – see Supplemental Box Relating to Sequence Listing.
3. ☐ The amendments have resulted in the cancellation of:
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____
4. ☐ This report has been established as if (some of) the amendments annexed to this report and listed below had not been made, since they have been considered to go beyond the disclosure as filed, as indicated in the Supplemental Box (Rule 70.2(c)).
- ☐ the description, pages _____
- ☐ the claims, nos. _____
- ☐ the drawings, sheets/figs _____
- ☐ the sequence listing (*specify*): _____
- ☐ any table(s) related to sequence listing (*specify*): _____

* If item 4 applies, some or all of those sheets may be marked "superseded."

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Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement		
1. Statement			
Novelty (N)	Claims	3, 5, 7	YES
	Claims	1, 2, 4, 6	NO
Inventive step (IS)	Claims		YES
	Claims	1-7	NO
Industrial applicability (IA)	Claims	1-7	YES
	Claims		NO
2. Citations and explanations (Rule 70.7)			
<p>Document 1: JP 7-32888 A (Kabushiki Kaisha Jonan Seisakusho), 03 February 1995, paragraphs [0009] to [0058] and fig. 1 to 15 (Family: none)</p> <p>Document 2: JP 3-109123 A (Daikyo Bebasuto Kabushiki Kaisha), 09 May 1991, fig. 11 (Family: none)</p> <p>Document 3: JP 9-277836 A (Daikyo Bebasuto Kabushiki Kaisha), 28 October 1997, paragraph [0022] and fig. 3 & EP 0802077 A1</p> <p>Document 4: JP 2003-231417 A (Bebasuto Japan Kabushiki Kaisha), 19 August 2003, paragraph [0017] and fig. 2 & DE 10205118 A1</p> <p>The inventions set forth in claims 1, 2, 4 and 6 are disclosed in newly cited document 1 (paragraphs [0009] to [0058] and fig. 1 to 15); therefore, the inventions in question lack novelty and do not involve an inventive step. The "sunroof lid (3)," the "link bracket (5)," the "guide rail (4)," the "stopper (41)," the "induction section (42)," the "front end of the induction hole (11)," the "guide wedge (6) and the drive shoe (25)," the "locking pin (44)," the "support pin (40)," the "support pin (45)" and the "support link (13)" that</p>			

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	<p>are disclosed in document 1 correspond to the "movable panel that is provided to the opening in the roof of a vehicle," the "functional bracket," the "guide rail," the "guide block," the "regulating section," the "first locking section," the "shoe," the "second locking section," the "third locking section," the "support for mounting the aforementioned functional bracket to the aforementioned check block in a rotatable manner" and the "check block," respectively, from the inventions set forth in the claims of the present application.</p> <p>The invention set forth in claim 3 does not involve an inventive step in the light of document 1 and document 2 cited in the international search report. Document 2 (fig. 11) discloses a feature wherein the rear end of the timing groove (33) is provided below the latching section (31a). Such being the case, it would have been easy for a person skilled in the art to conceive of providing the locking pin (44) and the guide section (42) of the invention disclosed in document 1 at a location below the support pin (40) in the light of the configuration disclosed in document 2, wherein the rear end of the timing groove (33) is provided below the latching section (31a).</p> <p>The invention set forth in claim 5 does not involve an inventive step in the light of document 1 and document 3 cited in the international search report. It would have been easy for a person skilled in the art to conceive of applying the "suppression means" illustrated in document 3 (fig. 3) (which corresponds to the "holding section for suppressing saccadic movement" in the invention set forth in claim 5) to the support link (13) of the invention disclosed in document 1 in order to suppress saccadic</p>

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Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability;
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movement.

The invention set forth in claim 7 does not involve an inventive step in the light of document 1 and document 4 cited in the international search report. It would have been easy for a person skilled in the art to conceive of applying the "elastically formed sliding element (26)" disclosed in document 4 (paragraph [0017]) (which corresponds to the "flexible structure" in the invention set forth in claim 7) to the support pin (45) of the invention disclosed in document 1.